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Crl.O.P.Nos.2123, 2126 and 2131 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.01.2026**

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NOS.2123, 2126 and 2131 of 2026

Yogesh	... Petitioner in Crl.O.P.No.2123 of 2026/ A2
Deva	... Petitioner in Crl.O.P.No.2126 of 2026/ A1
Mageshwari	... Petitioner in Crl.O.P.No.2131 of 2026/ A3

Vs

The State rep. by,
The Inspector of Police,
M-4, Redhills Police Station,
Tiruvallur District.
(Crime No.2 of 2026)

... Respondent/ Complainant

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in Crime No.2 of 2026 registered on the file of the respondent.

For Petitioners in all cases : Mr. V. Sukumar

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



COMMON ORDER

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The petitioners/ Yogesh and Deva were arrested and remanded to judicial custody on 02.01.2026 and the petitioner/ Mageshwari was arrested and remanded to judicial custody on 15.01.2026 for the offences punishable under Sections 126(2), 329(4), 296(b), 115(2), 118(1), 351(3), 324(4) of BNS, subsequently altered as for offences under Sections 126(2), 296(b), 105 of BNS in Crime No.02 of 2026, registered on the file of the respondent police, seek bail.

2. The allegation against the petitioners herein is that, the petitioners and the defacto complainant are residing in same locality; that on account of previous enmity between the petitioners and the defacto complainant's son, while the defacto complainant's son was travelling in his two wheeler on 01.01.2026, A1 to A2 abused the defacto complainant's son using filthy language, pushed him down and attacked him using stones and hands; that thereby, the defacto complainant's son sustained grievous head injuries and subsequently, succumbed to injuries on 15.01.2026, while he was under treatment in hospital. Hence, this case.

3. The learned counsels appearing for the petitioners submitted



that the petitioners have been falsely implicated in this case on account of previous enmity between the petitioners and the defacto complainant; that the petitioners herein have no previous cases; that the petitioners have not committed any offence as alleged by the prosecution, the real fact is that while the defacto complainant's son was riding his two wheeler, on seeing the petitioners/ A1 and A2, he lost the balance, fell down on the road and sustained head injury; that there is no motive or pre-meditated injuries caused to the defacto complainant's son by the petitioners herein; and that the petitioners are ready to abide by any condition that may be imposed by this Court and sought for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and submitted that there are totally 3 accused involved in this case and the petitioners herein are arrayed as A1 to A3; that the petitioners have no previous cases; and that the investigation of the case is pending.

5. Considering the submissions made, nature of allegation, the manner in which the occurrence is said to have taken place, the fact that the



petitioners have no previous cases and taking note of the period of incarceration undergone by the petitioners herein, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate - II, Ponneri** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner/ **Mageshwari** shall report before the respondent police daily at **10:30 a.m.**, for a period of **two weeks and thereafter, as and when required for interrogation**; the petitioners/ **Yogesh and Deva** shall report before the respondent police daily at **10:30 a.m.**, until further orders;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to



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pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[d] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

30.01.2026

stn

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

K. RAJASEKAR, J.

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1. The Judicial Magistrate -II,
Ponneri.
2. The Inspector of Police,
M-4, Redhills Police Station,
Tiruvallur District.
(Crime No.2 of 2026)
3. The Superintendent,
Central Prison, Puzhal.
4. The Superintendent,
Special Prison for Women at Puzhal.
5. The Public Prosecutor,
High Court of Madras.

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